

SERVICE DATE – MARCH 20, 2019

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 36273

CHICAGO, ROCK ISLAND & PACIFIC RAILROAD, LLC—CHANGE OF OPERATORS
EXEMPTION—RAIL LINE IN COAHOMA COUNTY, MISS.

Decided: March 19, 2019

On February 14, 2019, Chicago, Rock Island & Pacific Railroad, LLC (Rock), filed a verified notice of exemption under 49 C.F.R. § 1150.31 to assume operations over approximately 61.30 miles of rail line (the Line) owned by the County of Coahoma, Miss. (County), including incidental trackage rights over rail line owned by Illinois Central Railroad Company (IC) to permit interchange with IC at Swan Lake, Miss. Rock identifies Gulf & Ohio Railways, Inc. d/b/a Mississippi Delta Railroad (MSDR) as the current lessee and operator of the Line and states that MSDR is also known as C&J Railroad Company d/b/a Mississippi Delta Railroad (C&J). According to Rock, an agreement among the County, C&J, and Rock has been reached to allow Rock to assume operations over the Line. Rock supplemented its notice on February 27, 2019.

On February 28, 2019, C&J filed a letter alleging certain discrepancies in the verified notice, and, the next day, IC also raised various concerns about the notice and moved that it be rejected without prejudice. On March 5, 2019, Rock filed a motion to withdraw its verified notice without prejudice, stating that more time is needed to investigate “the history of the rail line and its current ownership, property rights, contractual rights, and Board authority.”

Rock’s motion to withdraw will be granted without prejudice to re-filing. Because the motion to withdraw will be granted, IC’s petition to reject will be denied as moot.

It is ordered:

1. Rock’s motion to withdraw its verified notice of exemption without prejudice is granted.
2. IC’s petition to reject is denied as moot.
3. This decision is effective on its date of service.

By the Board, Allison C. Davis, Acting Director, Office of Proceedings.